

Rejection of Claims 1-38 Under 35 U.S.C. §103(a)

Claims 1-38 were rejected under 35 U.S.C. §103(a) as being obvious over the '917 patent in view of the '319 patent and the '053 patent. The Examiner noted that the '917 patent does not specifically disclose semantic data contexts, and cites the '053 patent for that purpose. Submitted herewith is a Declaration of Michael Siegel Under 37 C.F.R. §1.131 and a Declaration of Stuart Madnick Under 37 C.F.R. §1.131 in which each one states that the Applicants' were in possession of a method for querying heterogeneous data sources distributed over a network using context interchange to translate between differences in the semantic context of data stored by the databases before August 29, 1995. As factual proof of Applicant's submission, attached to the Declaration is a true and correct copy of "The Context Network Interchange Prototype" ("the Paper"). Since the '053 patent was not filed until August 29, 1995, Applicants submit that the '053 patent is not a proper reference for the present application and that, therefore, use of the '053 patent to reject claims 1-38 is improper and that the rejection of those claims under 35 U.S.C. §103 should be withdrawn.

Further, Michael Siegel and Stuart Madnick state in their Declarations that Messrs. Daruwala, Goh, Hofmeister, and Hussein were named as co-authors of the Paper because they helped Applicants implement their invention. It is clear from Mr. Siegel's and Mr. Madnick's characterizations of their contribution that it did not rise to the level of contributions necessary to establish inventorship for the present patent application.

CONCLUSION

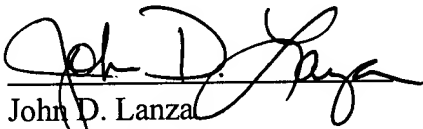
In view of the amendments to the claims and the arguments presented herein, Applicants respectfully submit that the above rejections be reconsidered and withdrawn. The Examiner is invited to call the undersigned Attorney, if the Examiner believes that a telephone conversation would be helpful in expediting prosecution of the instant application.

Respectfully submitted,

Dated: September 14, 1998
Registration No. 40,060

Tel.: (617) 248-7604
Fax.: (617) 248-7100

412JDL5473/60.A639522


John D. Lanza
Attorney for Applicant
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110